

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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PCT

RECKITT BENCKISER
WITTEN OPINION
GROUP PATENTS DEPT
(PCT Rule 66)

20 DEC 2004

05.06.04

Applicant's or agent's file reference
11048P1 WO/JCM

REPLY DUE

05.03.2004

within 3 month(s)
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International application No.
PCT/GB 03/02653

International filing date (day/month/year)
20.06.2003

Priority date (day/month/year)
21.06.2002

International Patent Classification (IPC) or both national classification and IPC
C11D17/04

please bring file

Applicant
RECKITT BENCKISER (UK) LIMITED et al

TO:

S/3/04

TO: KHS/3
CASE NUMBER

11048P1 WO

DIARY

K/H

RECORDS M/S/3

K/H

INVOICE

ACKNOW

RENEWALS

- This written opinion is the **first** drawn up by this International Preliminary Examining Authority.
- This opinion contains indications relating to the following items:

- I Basis of the opinion
- II Priority
- III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

- The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also: For an additional opportunity to submit amendments, see Rule 66.4. For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis. For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

- The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 21.10.2004

Name and mailing address of the international
preliminary examining authority:



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I. Basis of the opinion

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

Description, Pages

1-14 as originally filed

Claims, Numbers

1-13 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages:
- the claims, Nos.:
- the drawings, sheets:

5. This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been and will not be examined in respect of:

the entire international application,

claims Nos. 13

because:

the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 13 are so unclear that no meaningful opinion could be formed (specify):

see separate sheet

the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for the said claims Nos.

2. A written opinion cannot be drawn due to the failure of the nucleotide and/or amino acid sequence listing to comply with the Standard provided for in Annex C of the Administrative Instructions:

the written form has not been furnished or does not comply with the Standard.

the computer readable form has not been furnished or does not comply with the Standard.

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N) Claims 1-4, 6, 8-10

Inventive step (IS) Claims 1-12

Industrial applicability (IA) Claims

2. Citations and explanations

see separate sheet

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Neither novelty nor inventive step can be acknowledged for the subject-matter of claim 13 (rule 6.2a PCT)

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Cited Documents

Reference is made to the following documents:

D1: EP317897

D2: GB1067462

D3: US5141803

D4: GB2328451

D5: RU2068864

2. Novelty

D1 discloses a cleaning composition for furniture, especially for wooden furniture, comprising 2.5 % wax in the form of an aqueous emulsion (see the example). A non-woven sheet can be impregnated with the composition and is used for cleaning a teak surface (see page 4, lines 20-27).

D2 describes a stain removing composition for wooden furniture comprising an aqueous wax emulsion which is impregnated on a sheet (see examples 3 and 4).

D3 teaches aqueous compositions for impregnating a nonwoven wipe, the composition comprising a lanolin derivate (see example 1) The impregnated wipes can be packed into canisters and can be provided as separate sheets in interleaved form (see column 5, lines 51 to 64).

D4 is related to premoistened wipes which are impregnated with a liquid composition comprising an aqueous emulsion of 0.1-3 wt-% of PEG-75 Lanolin (see page 6, last paragraph).

Therefore the subject-matter of claims 1 and 8-10 is not novel (Art. 33 (2) PCT)

Dependent claims 2-7,11 and 12 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect

of novelty and inventive step, the reasons being as follows:

The features of claims 2-4 and 6 are already known from D1 (see page 3, lines 6 to 14; claims). The feature of claim 5 is known from D5.

In claims 7, 11 and 12 a slight change is defined which comes within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject-matter of claims 5, 7, 11 and 12 also lacks an inventive step (Art. 33 (3) PCT).